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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number
10/783378Filing Date
2/20/2004First Named Inventor
Neven, et al.

Art Unit

Examiner Name
Unknown

Attorney Docket Number

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD

Remarks

☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
below):Submission of Prior Art Under 35
USC 301 and Copies of Cited
References; Return postcard**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Rutan & Tucker, LLP

Signature

Printed name

Robert D. Fish

Date

7/11/06

Reg. No.

33880

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7/11/06

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231**

Inventor: Neven et al.

Serial No: 10/783,378

Filed: February 20, 2004

For: IMAGE BASE INQUIRY
SYSTEM FOR SEARCH
ENGINES FOR MOBILE
TELEPHONES WITH
INTEGRATED CAMERA

Examiner:

Art Unit:

SUBMISSION OF PRIOR ART UNDER 35 U.S.C. 301

The undersigned requests that the Office consider the following documents in evaluating patentability of the claims in the above-captioned patent application.

- 1) Neven's currently pending claims are anticipated by, or obvious over U.S. Pat. No. 7,016,532 to Boncyk et al ('532) and U.S. Pub. No. 2004/0208372 to Boncyk et al (PN'372). Both have priority to Nov. 6, 2000.

Neven Claim language	'532 and PN'372
1. A system for image-based information retrieval from search engines or databases, characterized by a) a terminal with a built-in camera that is connected to a remote data transmission network; b) a server computer on which an object recognition program is running, which analyses images sent to it and provides them with a symbolic indexing; c) a search engine that uses the indexed image to find information about the image and sends it back to the terminal.	See '532 abstract and entire patent; see also PN'372 entire application.
2. The system as described under 1) that is designed for mobile telephones or portable computers that have a built-in camera.	See '532, claims 1, 2, and 3, which describe the system using a telephony device, a cell-phone, and a hand-held computer, all with a camera.
3. A city or museum guide that uses the system described under 2) to provide a	See '532 and see also PN'372, para 0008 which describe this application choice.

user with information about objects of which he or she has previously taken a picture.	
4. The system as described under 3) in which positioning information is also used to appropriately limit the image recognition system.	See PN'372, para 0171 and 0278, which describe the use of GPS position information to assist in identifying objects by location.
5. The system as described under 2) that provides product information about products that have been previously photographed with the mobile camera.	Not expressly taught or suggested, but obvious variant.
6. The system as described under 2) in which the image recognition system is also able to recognize text characters or symbols.	See '532 claim 6, and col 4, line 35; see also PN'372, para 0048, 0145, 0148.
7. The system as described under 2) in which the system is, in particular, able to recognize faces.	See PN'372, para 0013 and 0167.
8. The system as described under 2) that is used to provide the user with additional information about advertising billboards.	See '532, claim 1. An advertising billboard is an obvious user choice for the "object" cited in claim 1. See PN'372, para 0009 and 0272, which describe the use of this system and process with billboards.
9. An electronic user handbook that uses a system as described under 2) to quickly navigate access to corresponding sections of the handbook.	See '532, claim 1. An electronic handbook is an obvious variant of "information related to the object" as described in claim 1. See PN'372, para 0011, 0012 and 0276, which all cite examples of usage as an electronic handbook. Again, an electronic handbook is an obvious variant of the "text" cited in para 0257 and 0262.
10. The system as described under 2) that allows providers of information to independently make new entries in the image processing system for the purpose of allowing their data to be retrieved by means of image entry.	Design choice, obvious that the customers of the service would be allowed to update their information in the database.

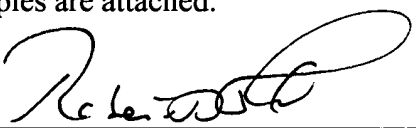
2) Other prior art of interest

Attny Dkt. No. 101044.0000

PCT/IB02/02484, WO 02/082799 A2	Lev
PCT/IB02/02484, WO 02/082799 A3	Lev
EP920179	Squilla/Kodak
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5,615,324	Kuboyama
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5,768,633	Allen/Kodak
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20020089524	Ikeda/NEC
20020102966	Lev
20020103813	Frigon
20020140988	Cheatle/HP
20020156866	Schneider

Copies are attached.

By:



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